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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CARLOS GARCIA WELDON,
SANDRA JUDITH CASTANEDA
CISNEROS, EDEL FELIX CASTRO, AND
FERMIN LOZANO GONZALEZ,

Defendants.

CASE NO. 1:19-CR-00274-JLT-SKO

STIPULATION TO EXCLUDE TIME UNDER
SPEEDY TRIAL ACT; TO CONTINUE TRIAL
DATE AND TRIAL CONFIRMATION HEARING;
ORDER

TRIAL DATE: March 21, 2023
TIME: 10:00 a.m.
COURT: Hon. Jennifer L. Thurston

STIPULATION

This case is set for Jury Trial on March 21, 2023 and Trial Confirmation Hearing on February 13, 2023.

As set forth below, the parties now move, by stipulation, to continue the Trial Date from March 21, 2023 to July 18, 2023, continue the Trial Confirmation Hearing from February 13, 2023 to May 8, 2023 (or any other date available to the Court in May 2023), and exclude time under the Speedy Trial Act through and including July 18, 2023. The parties are continuing to progress towards a resolution of the case, and defense counsel seek additional time to conduct legal research and other investigation, including financial investigation, and work to resolve the case. The parties believe the case will resolve prior to the May 2023 trial confirmation hearing.

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STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous orders, this matter was set for Jury Trial on March 21, 2023 and Trial Confirmation Hearing on February 13, 2023.

2. The parties are continuing to progress towards a resolution of the case, and defense counsel seek additional time to conduct legal research and other investigation, including financial investigation, and work to resolve the case. The parties believe the case will resolve prior to the May 2023 trial confirmation hearing. The parties agree and stipulate, and request that the Court find the following:

a) The undersigned government counsel substituted into this case in 2021 after prior government counsel left Federal service.

b) The government has represented that the discovery associated with this case includes numerous investigative reports, videos, and pictures. As a money laundering case, the case also involves extensive and voluminous financial records. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

c) To prepare for trial, Counsel for defendant desires additional time to consult with his client, review the charges, conduct investigation and research, and review discovery. The COVID-19 pandemic has and continues to make certain tasks, such as client meetings, meetings with the government, and case investigation more difficult and more time consuming. At one counsel has been experiencing health issues.

d) Counsel for defendants believe that the failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

e) The government does not object to the continuance.

f) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the

original date prescribed by the Speedy Trial Act.

g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of time from the date of this order through and including to July 18, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

3. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

Dated: February 8, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ JEFFREY A. SPIVAK
JEFFREY A. SPIVAK
Assistant United States Attorney

Dated: February 8, 2023

/s/ PRECILIANO MARTINEZ
PRECILIANO MARTINEZ
Counsel for Defendant
CARLOS GARCIA WELDON

Dated: February 8, 2023

/s/ MARK COLEMAN
MARK COLEMAN
Counsel for Defendant
SANDRA JUDITH
CASTANEDA CISNEROS

Dated: February 8, 2023

/s/ ARTURO HERNANDEZ
ARTURO HERNANDEZ
Counsel for Defendant
EDEL FELIX CASTRO

1 Dated: February 8, 2023

/s/ CURTIS RODRIGUEZ

CURTIS RODRIGUEZ

Counsel for Defendant

FERMIN LOZANO

GONZALEZ

6 **ORDER**

7 IT IS SO FOUND.

8
9 IT IS SO ORDERED.

10 Dated: **February 9, 2023**


UNITED STATES DISTRICT JUDGE